

LIPSKY LOWE LLP

AN EMPLOYMENT LAW FIRM

Douglas B. Lipsky - Partner

420 Lexington Avenue, Suite 1830

New York, New York 10170

Main: 212.392.4772

Direct: 212.444.1024

Fax: 212.444.1030

doug@lipskylowe.com

www.lipskylowe.com

The conference on 9/23/21
is canceled. The plaintiff should move
by order & show for a default
judgment by 10/8/21.
VIA ECF

September 22, 2021

so ordered for G/Koeltl / U.S.D.J.
9/22/21

The Honorable John G. Koeltl, U.S.D.J.
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Nisbett v. Simple Skiff Beverages, LLC, 1:21-cv-3984 (JGK)

Dear Judge Koeltl:

This firm represents Plaintiff Kareem Nisbett in this website accessibility case under the Americans with Disabilities Act. We respectfully request an adjournment of the September 23, 2021, 4:30 p.m., Initial Pretrial Conference.

As background, the Complaint was filed on May 4, 2021 and Plaintiff promptly attempted to serve the Defendant with the Summons and Complaint. After some unsuccessful attempts, Plaintiff served Defendant on July 8 via its registered agent, making its responsive pleading due by July 29, 2021. (Doc. No. 7). But no responsive pleading was filed. We have, accordingly, made numerous attempts to contact the Defendant to advise them they are in default. However, no attorney representing the Defendant has contacted this firm nor filed a Notice of Appearance.

Having given Defendant ample opportunity to appear, Plaintiff now intends to move forward with the default judgment process and will promptly request a Certificate of Default. Given this and to conserve the Court's valuable resources, we respectfully request the conference be adjourned *sine die*.

We appreciate the Court's consideration of this request.

Respectfully submitted,
LIPSKY LOWE LLP

s/ Douglas B. Lipsky
Douglas B. Lipsky